

EXHIBIT 1

In the Matter Of:

SHIMMEL, ET AL. vs LIEUTENANT MOODY, ET AL.

MICHELLE RENEE SHIMMEL

April 25, 2019

Prepared for you by



Bingham Farms/Southfield • Grand Rapids

Ann Arbor • Detroit • Flint • Jackson • Lansing • Mt. Clemens • Saginaw • Troy

SHIMMEL, MICHELLE RENEE

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1	UNITED STATES DISTRICT COURT	1
2	EASTERN DISTRICT OF MICHIGAN	2
3	SOUTHERN DIVISION	3
4		WITNESS
5	STEVEN VANCE SHIMMEL	4
6	by Personal Representative,	MICHELLE RENEE SHIMMEL
7	ROBERT SHIMMEL,	5
8	Plaintiffs,	6
9	vs.	EXAMINATION
10	Case No. 1:18-cv-13334	7
11	Hon. Laurie J. Michelson	BY MR. SHOUDY:
12	LIEUTENANT JOHN MOODY,	8
13	DEPUTY ADAMCZYK, DEPUTY	EXAMINATION
14	JASON JAMES, DEPUTY AMY	9
15	VERRAN and DEPUTY JENNIFER	BY MR. WILENSKY:
16	MORDE, Jointly and Severally.	10
17	Defendants.	11
18	_____	EXHIBITS
19		12
20	The Deposition of MICHELLE RENEE SHIMMEL,	13
21	Taken at 8161 South Saginaw Street,	EXHIBIT
22	Grand Blanc, Michigan,	14
23	Commencing at 1:32 p.m.,	(Exhibits not offered.)
24	Thursday, April 25, 2019,	15
25	Before Valerie Jo Lohr, CSR-6212.	16
		17
		18
		19
		20
		21
		22
		23
		24
		25

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1	APPEARANCES:	1
2		Grand Blanc, Michigan
3	NEAL J. WILENSKY	2
4	Law Office of Neal J. Wilensky, PC	Thursday, April 25, 2019
5	6005 West St. Joseph	3
6	Suite 303	1:32 p.m.
7	Lansing, Michigan 48917	4
8	(517) 323-1111	5
9	cindykwlaw@gmail.com	MICHELLE RENEE SHIMMEL,
10	Appearing on behalf of the Plaintiffs.	6
11		was thereupon called as a witness herein, and
12	TODD J. SHOUDY	7
13	Fletcher, Fealko, Shoudy & Francis, PC	8
14	1411 Third Street	9
15	Suite F	the truth, the whole truth and nothing but
16	Port Huron, Michigan 48060	10
17	(810) 987-8444	the truth, testified as follows:
18	tshoudy@fletcherfealko.com	EXAMINATION
19	Appearing on behalf of the Defendants.	11
20		BY MR. SHOUDY:
21		12
22		Q. Okay. Let the record reflect that this is the
23		13
24		deposition of Michelle Shimmel.
25		14
		A. Correct.
		15
		Q. Taken pursuant to notice as to date and time and
		16
		location and is to be used for all purposes permitted
		17
		under the Federal Rules of Evidence and the Federal
		18
		Rules of Civil Procedure.
		19
		Miss Shimmel, I appreciate you being here
		20
		today. And as I understand it, you're appearing
		21
		voluntarily?
		22
		A. Yes.
		23
		Q. Could you please state your full name for the record.
		24
		A. Michelle Renee Shimmel.
		25
		Q. And, ma'am, have you given a deposition before?

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1 A. No, I have not.		1 Q. It might not be in the middle of a question, that type
2 Q. All right. So let me just go through the basic ground		2 of thing, okay?
3 rules of the deposition process so we're all on the		3 A. Okay.
4 same page. First of all, as I introduced myself to you		4 Q. Is there any reason you can't give your best testimony
5 earlier, I'm the attorney representing Deputy John		5 today?
6 Moody, Deputy Adamczyk, Deputy Jason James, Deputy Amy		6 A. No.
7 Verran and Deputy Jennifer Morden in a lawsuit that was		7 Q. All right. And, ma'am, what's your current address?
8 filed by Robert Shimmel on behalf of your late father,		8 A. 3476 West Dayton, D-a-y-t-o-n, Street, Flint, Michigan,
9 Steven Shimmel. Okay?		9 48504.
10 A. Okay.		10 Q. And how long have you lived at that address?
11 Q. As you can see, everything that we say and everything		11 A. I've been here since July of 2018.
12 I'm saying and everything you'll be saying will be		12 Q. Okay. And is that a rental?
13 taken down by the court reporter who's sitting just to		13 A. Yes. I'm currently looking for somewhere else to
14 your left.		14 reside right now.
15 A. Okay.		15 Q. Sure. And I think you indicated you have three
16 Q. Because she's taking down everything that we say, we		16 children under the age of two?
17 have to make sure we communicate verbally.		17 A. Correct.
18 A. Okay.		18 Q. Or two and under?
19 Q. So, for example, if I ask you a question that calls for		19 A. Yeah, two and under.
20 a yes or no answer, a head nod or a head shake or an		20 Q. Anyone else live with you at that address?
21 huh-huh or uh-huh are insufficient for the court		21 A. My fiance.
22 reporter, okay?		22 Q. And what's your fiance's name?
23 A. Okay.		23 A. Randall James, common spelling for both.
24 Q. If you give me that type of response, I'll prompt you		24 Q. Is Mr. James the father of one or more of the children?
25 to verbalize your answer, okay?		25 A. Yes. He's the father of my two youngest.
Page 6		Page 8
1 A. Okay.		1 Q. Okay. And what's your age, ma'am?
2 Q. Now, if I ask you a question and you don't understand		2 A. I am 23.
3 the question, will you please let me know?		3 Q. And your educational background?
4 A. Yes.		4 A. I am currently in school right now trying to obtain my
5 Q. That's important. Because if you answer the question,		5 high school diploma through an alternative school. I
6 we're going to assume that you understood the question,		6 made it to eleventh grade. I was in school, and my
7 okay?		7 father passed away, and I dropped out because it was
8 A. Right. Correct. Okay.		8 too hard for me to attend.
9 Q. Now, from time to time the lawyer representing your		9 Q. Okay. So what high school did you start at?
10 father's estate may place objections on the record.		10 A. Carman-Ainsworth High School.
11 A. Okay.		11 Q. So at Carman-Ainsworth you went until the eleventh
12 Q. And we're not sitting before a judge who can rule on		12 grade?
13 those objections, so the procedure we use at a		13 A. I went until the tenth grade, and then I moved to
14 deposition is I may prompt you to answer the question		14 Toledo, Ohio for about a year, a year and a half, and I
15 over the objection if you can, okay?		15 went to Woodward High School there, and then I came
16 A. Okay.		16 back here. And I got kind of didn't go to school for a
17 Q. If you need to take a break for any reason, will you		17 while, and then right prior to my dad passing away I
18 please let me know?		18 got back into a program at Mott. And after he passed
19 A. Uh-huh.		19 away I -- well, actually, when I found out he was in
20 Q. Yes?		20 Sanilac County Jail, I stopped going. The day that I
21 A. Yes. Sorry.		21 found out, I was in school. And the circumstances of
22 Q. That's all right. Everybody does it.		22 him being arrested were too hard for me to kind of
23 And if you need to take a break, we'll find a		23 handle emotionally, so I stopped going to school.
24 good place to break.		24 Q. Okay. Now, I have the date of your father's arrest up
25 A. Okay.		25 in Sanilac County as November 19th, 2017.

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Page 9		Page 11
1 A. Correct. Which was a Sunday, and I didn't find out	1 A. Yes.	
2 until Monday.	2 Q. Okay. So maybe earlier this year you worked?	
3 Q. So then on November 20th, that would be the day you	3 A. Yes. I worked -- I want to say I stopped working about	
4 dropped out?	4 three -- no, it was about four months before I had my	
5 A. Uh-huh.	5 daughter. And I had her in March, so it was probably	
6 Q. Yes?	6 like the end of December I stopped working. I was	
7 A. Yes. Sorry.	7 working at a factory for like a month, and that was	
8 Q. That's all right. And so did you officially drop out	8 only because I had no options. I had to come up with	
9 or you just stopped going?	9 something for my children.	
10 A. I just stopped going.	10 Q. Sure. In 2017 were you employed?	
11 Q. Gotcha. Okay. And at that time how old were you?	11 A. Yeah. I had a couple of jobs. I worked at Meijers for	
12 A. I was 21.	12 like two weeks. I worked as a home health aide for	
13 Q. Okay. And when did you first start in the GED program	13 Mercy Plus for about two months.	
14 at Mott?	14 Q. Sure.	
15 A. I was only going there for probably about two weeks	15 A. And it was just little three-hour visits at people's	
16 before that.	16 houses helping them out. Nothing that was like	
17 Q. So sometime in early November?	17 longterm or anything like that.	
18 A. Yes.	18 Q. Sure. Like in November of 2017, I think you indicated	
19 Q. Of 2017?	19 you were at Mott working towards your GED. Were you	
20 A. Yes, I believe so.	20 working at that time?	
21 Q. All right. So you dropped out on the 20th of	21 A. No, I was not.	
22 November 2017?	22 Q. Were you working right before you started at Mott?	
23 A. Yes.	23 A. No, I was not.	
24 Q. And did you say you've started again?	24 Q. Okay. Any other jobs you've had since 2017?	
25 A. Yes. I just recently started. One day last week I	25 A. Little side jobs. I did -- I was a collections caller	
Page 10		Page 12
1 went and enrolled. Actually, it was Thursday of last	1 for a -- for urgent care. Like you called urgent care,	
2 week. I went and enrolled at Atherton Alternative Ed	2 somebody's patient. I was a collections caller for	
3 off of Center Road across from Meijers.	3 that. That was okay for me to do because I was at a	
4 Q. Okay. And when do you start?	4 desk and on a phone with people that I wasn't seeing	
5 A. I already started. I started that day.	5 face to face. No. Other than that, no.	
6 Q. Oh, okay.	6 Q. Any other education that you've had other than what	
7 A. And it's online, and it's kind of like at your own	7 you've already said?	
8 pace. They recommended that because my testing scores	8 A. No.	
9 were so high that I just go for my GED, because then I	9 Q. Trade schools, go to college, anything like that?	
10 will only have to do 40 hours and I can get it a lot	10 A. No.	
11 faster than trying to do my high school diploma. But I	11 Q. Other than the time I think you said you went to	
12 just thought like if I got my high school diploma that	12 Toledo, have you lived in Flint your whole life other	
13 it would make my dad proud, so.	13 than that?	
14 Q. Sure. So are you employed?	14 A. Yes.	
15 A. No.	15 Q. Okay. And how long were you in Toledo?	
16 Q. Okay. When were you last employed?	16 A. I was there for a year to a year and a half.	
17 A. Honestly, it's been a while. I'm seeking disability	17 Q. Now, do you have any criminal convictions yourself?	
18 right now, because I have epilepsy amongst a lot of	18 A. I myself have -- I've had one.	
19 other -- I've struggled with depression my whole life	19 Q. Okay.	
20 and anxiety and bipolar, so it makes it really hard for	20 A. It's like not recognizable, because I completed drug	
21 me to communicate the way I need to.	21 court. I took a charge for my ex-boyfriend. It was a	
22 Q. Okay. When were you last employed?	22 cocaine charge.	
23 A. It's been -- I can't really give a definite answer for	23 Q. Okay. Was it delivering cocaine?	
24 that.	24 A. Possession with intent to deliver 50 grams or less.	
25 Q. Have you worked since your father passed away?	And I got HYTA, and I completed drug court for it.	

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1 Q.	Okay. And was that prior to 2017?	1 son as well?
2 A.	Actually, I graduated drug court on November 6th, 2017.	2 A. Correct.
3 Q.	And you say you took that charge for your boyfriend?	3 Q. And same mother as well?
4 A.	Yes. Who is now in jail for murder, so.	4 A. Yes.
5 Q.	Oh, okay. And what was his name?	5 Q. And what's your older brother's name?
6 A.	His name is Ojwjuwan King. He wasn't involved with my dad at all.	6 A. Andrew Steven Shimmel.
7 Q.	Okay. Did you serve any jail time for that?	7 Q. And how old is Andrew?
8 A.	Yeah. I was in jail for approximately three months. I got out around I want to say January 30ish, and I started therapy at Catholic Charities and going to drug court regularly.	8 A. Andrew is -- he was born December 21st, '93.
9 Q.	So January 30th, 2017?	9 Q. Twenty-five?
10 A.	No. No. This charge goes back to 2015. I got it in like October, I believe, of 2015. And then I was in jail from October until January. And then I was in drug court from then on until November 6th of 2017.	10 A. Yeah.
11 Q.	Okay. And drug court, I assume you have to test negative and go through drug testing and you passed that okay?	11 Q. And is he local?
12 A.	Yes. I passed it okay.	12 A. No, he's not. He's in the Navy. Right now he's in North Carolina, I believe.
13 Q.	Are you addicted to any drugs?	13 Q. In November of 2017, was he in the Navy in North Carolina as well at that time?
14 A.	I wouldn't say addicted.	14 A. I'm not -- I kind of want to say he was deployed, but I'm not 100 percent sure. I know that we had to go through Red Cross to get him notified because he was out on a ship. And they had to go through like the airwaves to notify him and stuff like that.
15 Q.	Do you have addiction issues?	15 Q. You're talking about when your father died?
16 A.	MR. WILENSKY: Objection, relevance.	16 A. Yes. So I'm not 100 percent positive on that.
17 Q.		17 Q. So is your father's mother and father still alive?
18 A.		18 A. No, they're not. They're both deceased.
19 Q.		19 Q. And were they deceased prior to 2017?
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1 BY MR. SHOODY:		1 A. Yes.
2 Q.	You can go ahead and answer. It's just a discovery dep.	2 Q. Does your father have any siblings?
3 A.	I've smoked marijuana for my epilepsy, so CBD to help me with my seizures.	3 A. Yes.
4 Q.	Cocaine, heroin, anything like that?	4 Q. Quite a few, right?
5 A.	No. I don't do anything like that.	5 A. Yes, quite a few.
6 Q.	All right. So what is the name of your mother?	6 Q. Like ten maybe, something like that?
7 A.	My mom's name is Tami, T-a-m-i.	7 A. Mary, Tom, Bob -- he has -- he had a lot. Some of them are deceased. So, I mean, the ones that are alive, there's a few left.
8 Q.	And is it still Shimmel, or is it a different last name?	8 Q. Okay. Which ones are deceased?
9 A.	It was never Shimmel. Her last name is Husak, H-u-s-a-k. That's her married name.	9 A. My Uncle Arnold is deceased, my Aunt Celia, my Uncle Tom, and my Uncle -- what is his name? See, I didn't have the best relationship with all my uncles and aunts. Like, I didn't see them all the time. My Uncle John is deceased as well.
10 Q.	And what was her name when you were born?	10 Q. And those would all be your father's brothers and one sister, Celia?
11 A.	Robbins, R-o-b-b-i-n-s.	11 A. Correct.
12 Q.	Okay. So your mother and your father were never married?	12 Q. Did any of them die from suicide or any mental health issues?
13 A.	Correct.	13 A. I'm not 100 percent sure. I've heard stories about my Aunt Celia's death being a possible suicide, but I'm not 100 percent sure.
14 Q.	Was your father ever married?	14 Q. Okay. What aunts or uncles of yours was your father closest with?
15 A.	No.	15 Q.
16 Q.	And do you have any siblings?	16 A.
17 A.	Yes. I have an older brother that has the same mom and dad, and I have a younger brother that has a different dad.	17 A.
18 Q.	All right. So the older brother would be your father's	18 A.
19 A.		19 A.
20 Q.		20 A.
21 A.		21 A.
22 Q.		22 A.
23 A.		23 A.
24 Q.		24 A.
25 Q.		25 A.

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1	A. My Aunt Ruth and my Uncle Bob.	1	Other than that, I'm not really certain.
2	Q. Aunt Ruth?	2	Q. Okay. Do you know when he had last gone to CMH?
3	A. Yes.	3	A. No.
4	Q. I wasn't sure if you said Ruth or Rutha.	4	Q. Was he going to CMH in 2017, or you don't remember?
5	A. Ruth.	5	A. I don't remember. And if it was, it would have been
6	Q. Ruth, okay. And Aunt Ruth would be a Shimmel as well?	6	the beginning of 2017.
7	A. Her last name is Buning, B-u-n-i-n-g. She's married.	7	Q. Okay. Now, had there been any history of suicide
8	Q. And then Bob is Robert Shimmel?	8	attempts by your father?
9	A. Correct.	9	A. Not that I'm aware of at all.
10	Q. Okay. Did your father have addiction issues?	10	Q. Okay.
11	A. Yes.	11	A. My dad disclosed multiple times that he wanted to live
12	Q. And do you know what drugs he was addicted to?	12	to be there for his grandchildren and me, so.
13	A. Pretty much everything, heroin, crack cocaine. He	13	Q. Now, in November of 2017 you had one at home at that
14	wasn't -- he didn't like marijuana as far as himself	14	time, right?
15	doing it. He -- alcohol occasionally. If my dad drank	15	A. Yes. And I was pregnant.
16	alcohol, I knew that everything else was going to	16	Q. And you were pregnant with the second one?
17	follow. I'm not really too sure if there was pills or	17	A. Yes.
18	anything else, but that's what I know of.	18	Q. And what would be your oldest would be his grandchild?
19	Q. Sure. And do you know how long he was addicted to	19	A. Yes.
20	heroin?	20	Q. Would that be his first grandchild?
21	A. On and off, my whole life. I'm not sure if it was	21	A. Yes.
22	before I was born as well, but I know on and off my	22	Q. Okay. I assume he was fairly close with the
23	whole life.	23	grandchild?
24	Q. Sure. Same thing with crack cocaine?	24	A. Yes.
25	A. Correct.	25	Q. Sure. Now, was there a time shortly before he was
		Page 18	Page 20
1	Q. Same thing, on and off your whole life?	1	arrested where he overdosed?
2	A. Yes.	2	A. Yes, Saturday.
3	Q. Okay. Do you recall any type of treatment he was	3	Q. Would you tell me about that.
4	receiving for addiction issues, heroin or crack	4	A. The Saturday before everything happened for whatever
5	cocaine?	5	reason that he was arrested, he was over at his
6	A. Prior to him passing, he hadn't had too much treatment	6	girlfriend's house at the time. She kind of had an
7	since 2016.	7	abandoned house. So they were in the driveway in a
8	Q. And what treatment did he have in 2016?	8	car, and he was in the driver's seat, she was in the
9	A. He went to Salvation Army I believe it was at that time	9	passenger's seat. And she called me, and she's like,
10	for like a 90 day program. It was either Salvation	10	your dad's overdosing. I don't know what to do. Your
11	Army or Sacred Heart at that time.	11	dad's overdosing. And I was all the way on the south
12	Q. Is that inpatient?	12	side of Flint. This was on the east side of Flint
13	A. Yes. He was away.	13	where he was located at.
14	Q. And do you know which Sacred Heart facility?	14	And I had my friend -- because I can't drive,
15	A. I'm not 100 percent sure. Like I said, I don't even	15	I had my friend drive me over there as fast as we could
16	remember if it was Sacred Heart or Salvation Army.	16	get over there. And she was like smacking him and
17	Q. Sure.	17	trying to get him to come out of it. And I'm like, you
18	A. So I just know that he was away from home. I was	18	know, you can't do that. You don't have -- if you
19	living with him at that time.	19	don't have any Narcan, you know, you need to pour water
20	Q. Any other treatment that you recall him receiving or	20	on his neck, you need to do something. I mean, because
21	participating in?	21	I've been around my dad so long that I know what he had
22	A. I mean, he used to go to CMH. And I know he was trying	22	to do when other people have overdosed.
23	to get Suboxone to help him with his addiction, weaning	23	So I found some bottles of water. Obviously,
24	him off and stuff. So I'm sure that there's times	24	at that time it was still a little chilly out, so the
25	prior to him passing that that could be in the record.	25	water was cold enough, and when I poured it on him he

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1	kind of came to. And I asked Michelle, I'm like, well,	1	my daughter. And he was doing really great. This is
2	my dad's not going to be okay to drive in this car.	2	the greatest my dad has ever done. You know, he had
3	You know what I mean? You guys need to switch. So I	3	his own business, and things were really going good.
4	had my dad move to the passenger's side, because I	4	You know, he had been clean for a while, and I was so
5	didn't want my dad to try driving after he just, you	5	proud of him. I moved in with him. He was paying the
6	know, overdosed. And I ended up making sure that he	6	rent. This was the first time that I've ever seen my
7	could walk. And I was pretty upset at him, so I ended	7	dad so strong on his feet. And then he got around
8	up leaving. After I made sure he was going to be okay,	8	somebody who he ended up getting high with, and he had
9	I left.	9	overdosed. And while he was in a bathtub full of ice,
10	Q. Okay. So when he overdosed he was in a car?	10	they stole his credit card and went to Meijers and
11	A. Uh-huh.	11	basically took everything that he had off his credit
12	Q. Yes?	12	card. And that was kind of like the downward spiral
13	A. Yes.	13	point.
14	Q. Did he own the car, or was it somebody else's car?	14	Q. Was that 2017?
15	A. No, he did not own the car.	15	A. 2016 is when that happened.
16	Q. Whose car was it?	16	Q. So for 2017 he was using for pretty much the whole
17	A. I'm not 100 percent certain.	17	year?
18	Q. And you said he was with a girlfriend?	18	A. Yeah, pretty much.
19	A. Yes.	19	Q. Now, have you seen any of the documents pertaining to
20	Q. And what was his girlfriend's name?	20	your father's arrest in November of 2017 or any of the
21	A. Michelle Thompson.	21	charges that were raised against him?
22	Q. And you said she was at an abandoned house?	22	A. I spoke with an officer over the phone, and they had
23	A. Yeah. At that point in time, she claimed that she	23	told me some of the charges.
24	owned the house. But the house was like no type of	24	Q. Right.
25	living conditions at all. It didn't have heat, water,	25	A. I think it was pretty much all of the charges,
	Page 22		Page 24
1	electric, no piping. So they were inside the car when	1	actually, at that point. And my uncle had some
2	everything occurred.	2	documents. And at the time that I seen the documents
3	Q. Okay. So was she then using as well?	3	that he had, the stuff was blacked out, the important
4	A. Yes.	4	stuff was blacked out in my opinion.
5	Q. Okay. So your father and her were using --	5	Q. Okay.
6	A. Together.	6	A. I haven't seen anything other than that, so.
7	Q. -- together?	7	Q. Were you familiar with any of the people that, you
8	A. Correct.	8	know, he -- I mean, you're aware that he went to Ubly,
9	Q. And he had too much?	9	Michigan with several other individuals and he was
10	A. Uh-huh.	10	accused of trying to basically, you know, rob a
11	MR. WILENSKY: Is that a yes? I'm sorry.	11	marijuana grow operation?
12	THE WITNESS: Yes.	12	A. Yes. I heard of that.
13	BY MR. SHOODY:	13	Q. Sure. Okay. And you know one of the individuals who
14	Q. He had an overdose?	14	was with him was shot and killed at the residence, and
15	A. Yes.	15	then there was a second person who died who had left
16	Q. Did anyone say that that was an attempt to take his	16	the scene with your father and then died just down the
17	life or anything like that?	17	road?
18	A. No.	18	A. Yes. I heard of that as well.
19	Q. Okay.	19	Q. Okay. And then there was also another individual who
20	A. No. Because after the fact, I was told that Michelle	20	was arrested at the same time your father was, and then
21	was the one who shot him up that time, so therefore I	21	he was -- he's still in jail, and I think he was just
22	wouldn't say that at all.	22	sentenced late last year.
23	Q. Sure. Had your father overdosed in the past?	23	A. Okay. I didn't know that he was sentenced already.
24	A. He has. He had overdosed in 2016 before he went to	24	But, yes, I was aware of him.
25	rehab. We were living together. I was pregnant with	25	Q. All right. And so are you familiar with any of those

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1	individuals if I gave you their names?	1 Q. Correct.
2 A.	No, I'm not. And I don't know their names. I have	2 A. But before that when he was in jail?
3	seen one of them, and it was one of the ones that is	3 Q. Yes.
4	deceased.	4 A. Yes. I always communicated with my father while he was
5 Q.	Okay.	5 in jail.
6 A.	I've seen him once. It was -- he was kind of a lighter	6 Q. Okay. So that's something you've done basically all
7	skinned -- lighter skinned guy, more mixed I guess you	7 your life?
8	could say, mulatto in color.	8 A. Yes.
9 Q.	All right. There was a Quantize Bruce who was shot at	9 Q. Okay. And then I think you indicated in November of
10	the location.	10 '17 you had a boyfriend who was also in jail at that
11 A.	Uh-huh. I think that's the one I'm talking about.	11 time?
12 Q.	Okay. And then there was a Keith Saunders who ended up	12 A. My boyfriend -- I've been with the one that I'm with
13	dying shortly thereafter, that had been hit and was in	13 right now since my daughter was two months old. So the
14	the car that your father was in.	14 Ojwjuan King guy I haven't had anything to do with
15 A.	Okay.	15 since October of 2015.
16 Q.	Do you know him?	16 Q. Okay. Is he the father of your youngest?
17 A.	No.	17 A. No, he's not.
18 Q.	And then Preston Jack was the one who was arrested and	18 Q. Okay.
19	is in jail right now.	19 MR. WILENSKY: She said that the current
20 A.	Right. I don't know him either.	20 boyfriend is the father of her two youngest children.
21 Q.	Okay. And do you know in November of 2017, had your	21 BY MR. SHOUDY:
22	father moved out and was no longer living with you, or	22 Q. The two youngest. And then the oldest?
23	was he living with you?	23 A. The oldest one --
24 A.	We weren't living together at that time. He was living	24 Q. That's a daughter, right?
25	with Michelle riding around in that car. So I'm not	25 A. Yeah, it's a daughter. They're all three girls.
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1	sure where he was.	1 Q. Oh, wow. Good luck.
2 Q.	What color was the car?	2 A. I'm not really going to pursue that any further, that
3 A.	It was like a silver-ish blue-ish color I want to say.	3 conversation.
4	I can't really remember the car like that.	4 Q. Okay. Fair enough. Yeah. I don't need to know.
5 Q.	Yeah. Some people are good at the car makes and	5 So have you listened -- I gave your lawyer
6	models.	6 some audio tapes. Have you had a chance to listen to
7 A.	Right.	7 those?
8 Q.	Do you know what those were?	8 A. No.
9 A.	No. I'm not good at that.	9 Q. Okay. Let me see if I can play these for you. So am I
10 Q.	I'm not one of those either.	10 correct that you've called in to the Sanilac County
11 A.	Right.	11 Jail when your father was in in November of 2017?
12 Q.	Okay. Now, had your father been in jail before he was	12 A. Yes.
13	in the Sanilac Jail?	13 Q. And I have you calling in on two occasions. Is that
14 A.	My dad's been in and out of jail my whole life. He	14 correct?
15	used to tell me that jail was his second home, because	15 A. Yes. There was more than that. I have call logs in my
16	he knew that when he went to jail he would be safe and	16 phone. But, yes, those are the two pertinent ones.
17	he would have food, and he didn't always have that out	17 Q. Do you still have those call logs?
18	here.	18 A. Actually -- well, I turned my phone off, but I believe
19 Q.	Sure. Now, had you spoken with him when he was in jail	19 I have them saved in my photos.
20	prior to the time he was in the Sanilac County Jail?	20 Q. Okay. Is that something I can see?
21	So before his arrest, had there been other times where	21 A. Yes. November 2017, okay.
22	you would -- you know, you were able to communicate	22 Q. All right.
23	with him in jail whether by video or phone?	23 A. This is the Sanilac County Jail right here. I called
24 A.	You're talking about -- so not the Sanilac County	24 on November 22nd at 9:07 a.m. I called on
25	incident?	25 November 21st at 4:36 p.m. I called on November 21st

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1	at 10:51 a.m. I called on November 20th at 5:01 p.m.	1 I'd like to do is then do a transcript. So the person
2	I called on November 20th at 1:38 p.m. I called on	2 you spoke with there I believe was Deputy Adamczyk, is
3	November 20th at 1:37 p.m.	3 that correct?
4	Q. Okay.	4 A. Yes. I know it was a female. I didn't remember the
5	MR. WILENSKY: Could she take a picture --	5 name.
6	BY MR. SHOUDY:	6 Q. She identified herself as Deputy Adamczyk, right?
7	Q. Oh, is this a picture here I'm looking at?	7 A. Right.
8	A. Yes.	8 Q. Okay. And then the two people speaking are you and the
9	Q. Okay. Could you just for the record read in the length	9 deputy.
10	of each of those calls.	10 A. Okay.
11	A. Yes.	11 Q. I think it should be easy to follow along, because I've
12	Q. Okay.	12 listened to it myself. I'm sure your lawyer has as
13	A. November 22nd at 9:07 a.m., there was an outgoing call	13 well.
14	for five minutes and zero seconds. On November 21st at	14 A. Okay.
15	4:36 p.m., there was an outgoing call for four minutes	15 MR. SHOUDY: Let me play this.
16	and 48 seconds. On November 21st at 10:51 a.m., it was	16 DEPUTY ADAMCZYK: This is Deputy Adamczyk.
17	an outgoing call for one minute and nine seconds. On	17 MICHELLE SHIMMEL: Hi. My name is Michelle
18	November 20th at 5:01 p.m., it was an outgoing call for	18 Shimmel. I was calling to see if my dad's been
19	56 seconds. On November 20th at 1:38 p.m., it was an	19 arraigned yet.
20	outgoing call for one minute and 27 seconds. And then	20 DEPUTY ADAMCZYK: No, he has not. I'm not
21	November 20th I probably just hung up the phone at 1:37	21 sure what time they are doing that. But he hasn't been
22	p.m., because it was only eight seconds long.	22 arraigned yet.
23	Q. Okay. I'm sorry, what was the length of the call on	23 MICHELLE SHIMMEL: Okay. Yeah. I have
24	the 21st at 4:48?	24 another question. Is there any -- do you guys do like
25	A. At 4:36?	25 online visitation?
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1	Q. At 4:36, I'm sorry.	1 DEPUTY ADAMCZYK: Yeah, but once they get
2	A. It was four minutes and 48 seconds.	2 into general population. He's still downstairs in
3	Q. I can't read my own handwriting. And then November	3 holding.
4	22nd was at what time?	4 MICHELLE SHIMMEL: Okay.
5	A. 9:07 a.m.	5 DEPUTY ADAMCZYK: It won't be until after
6	Q. And how long was that one?	6 he's arraigned before we will know something, okay?
7	A. Five minutes.	7 MICHELLE SHIMMEL: Okay. Thank you. I'll
8	Q. Okay. Now, earlier you had indicated that the two	8 call -- I'll keep calling.
9	calls that I reference that there was audio recordings	9 DEPUTY ADAMCZYK: If you want to call after
10	for, you said those were the pertinent ones. What did	10 5:00, we should know something by then, okay?
11	you mean by pertinent?	11 MICHELLE SHIMMEL: Okay. Sounds great.
12	A. I'm hoping they were the longer ones where they would	12 Thank you so much.
13	have more information in them.	13 DEPUTY ADAMCZYK: You're welcome. Bye bye.
14	Q. Okay. All right. So let me --	14 MICHELLE SHIMMEL: Bye.
15	A. Sorry about my screen.	15 BY MR. SHOUDY:
16	Q. Yeah. Let me explain. I'm going to have -- once	16 Q. Okay. And so I guess my question is: Is that the
17	you've confirmed this is you on the phone, then I'm	17 phone call you had?
18	going to ask the court reporter to make a transcript of	18 A. Yes. That was Tuesday, I believe.
19	the audio.	19 Q. Okay. That's Tuesday the 21st?
20	A. Of the conversation?	20 A. Uh-huh.
21	Q. Yeah. Just the whole legal system doesn't work well	21 Q. Yes?
22	with audio, so it's better to have a transcript.	22 A. Yes.
23	A. Okay.	23 Q. Okay. And you know your dad was arraigned around 3:00,
24	Q. I'm going to do them in order. So there was -- I'm	24 3:30 that day?
25	going to start with the November 21st. Okay. So what	25 A. No, I did not know --

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1	Q. Okay.	1 My dad overdosed on Saturday.
2	A. -- exactly what time it was or anything like that.	2 DEPUTY ADAMCZYK: I can't hear you, ma'am.
3	Q. Obviously, because you didn't go to the arraignment?	3 MICHELLE SHIMMEL: I said my dad overdosed on
4	A. Right.	4 Saturday.
5	Q. You had a young one at home?	5 DEPUTY ADAMCZYK: Who's your dad?
6	A. Yeah.	6 MICHELLE SHIMMEL: Steven Shimmel.
7	Q. Okay. Let me go to the next one. All right. So this	7 DEPUTY ADAMCZYK: Okay.
8	one is going to be the one we have a time stamp of	8 MICHELLE SHIMMEL: And I had to bring him
9	4:37 p.m.	9 back to life.
10	A. Okay.	10 DEPUTY ADAMCZYK: Okay.
11	Q. Which corresponds with your cell phone time, right?	11 MICHELLE SHIMMEL: So I know that he was
12	A. Okay. Well, it was 4:36, but yes.	12 probably very angry. He had no Narcan or nothing, and
13	Q. Okay. Maybe there's a half minute or minute or maybe	13 he was dead for at least five minutes.
14	it doesn't kick in until you actually get through to	14 DEPUTY ADAMCZYK: Okay.
15	them.	15 MICHELLE SHIMMEL: So I just -- like -- do
16	A. Right.	16 you know how to set up the phone calls and all that?
17	Q. All right. So I'm going to go ahead and play this one	17 Because he's been trying to call me all day pretty
18	through, and I'll just ask you the same question, if	18 much.
19	this was the conversation you had, okay?	19 DEPUTY ADAMCZYK: Okay. I can give you our
20	A. Okay.	20 information as far as -- they have a video visitation
21	DEPUTY ADAMCZYK: Sanilac County Jail, Deputy	21 thing they might be able to help you with.
22	Adamczyk.	22 MICHELLE SHIMMEL: Is it kind of similar to
23	MICHELLE SHIMMEL: Hi. I was calling to see	23 where you go online to like Securus or something like
24	if Steven Shimmel was arraigned.	24 that?
25	DEPUTY ADAMCZYK: Yes, he has been.	25 DEPUTY ADAMCZYK: Yes. We have
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1	MICHELLE SHIMMEL: He has been? How do I	1 securustext.net.
2	find out more information?	2 MICHELLE SHIMMEL: Okay.
3	DEPUTY ADAMCZYK: As of right now, he has no	3 DEPUTY ADAMCZYK: Okay?
4	bond and -- let's see. Give me a second here. I've	4 MICHELLE SHIMMEL: All right. Thank you.
5	got to -- he has no bond. And I think the 27th --	5 DEPUTY ADAMCZYK: You're welcome. Did you
6	okay. There's no bond. He has court again on	6 need the website for depositing money if you were
7	November 28th for a probable cause hearing, which is to	7 planning on doing that at all?
8	determine whether or not they think that there's a	8 MICHELLE SHIMMEL: Yeah.
9	chance that -- or whether they believe that he's	9 DEPUTY ADAMCZYK: Okay. It's
10	responsible for any of these charges or possibly could	10 smartsdeposit.com.
11	have something to do with them and determine whether or	11 MICHELLE SHIMMEL: Okay. You said smart?
12	not they need to go further or not.	12 DEPUTY ADAMCZYK: Smartdeposit.com.
13	MICHELLE SHIMMEL: Okay.	13 MICHELLE SHIMMEL: Okay.
14	DEPUTY ADAMCZYK: He was charged with eleven	14 DEPUTY ADAMCZYK: Okay?
15	felony counts. It was assault with intent to murder,	15 MICHELLE SHIMMEL: Thank you so much.
16	two of those, conspiracy to commit assault with intent	16 DEPUTY ADAMCZYK: You're welcome. Did you
17	to murder, robbery armed serious injury, assault with	17 want his jacket number, because you're going to need
18	intent to rob while armed, assault with intent to rob	18 that when you go to put money in if you do?
19	while armed, conspiracy to commit robbery armed, home	19 MICHELLE SHIMMEL: Yeah.
20	invasion first degree, weapons firearms possession by	20 DEPUTY ADAMCZYK: Okay. His jacket number is
21	felon, stolen property receiving and concealing, and a	21 281255A.
22	weapons felony firearm. And that is all I have.	22 MICHELLE SHIMMEL: All right. Thank you.
23	MICHELLE SHIMMEL: Felony firearm.	23 DEPUTY ADAMCZYK: You're welcome. Have a
24	DEPUTY ADAMCZYK: Okay?	24 good day.
25	MICHELLE SHIMMEL: All right.	25 MICHELLE SHIMMEL: You too.

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Page 37		Page 39
1 BY MR. SHOODY:		1 Q. Was it only the 21st you had received --
2 Q. Okay. That's the phone conversation you had on the		2 A. No.
3 second call on the 21st?		3 Q. Okay.
4 A. Yes.		4 A. I think I have that in here too as well.
5 Q. Okay.		5 Q. Okay.
6 A. Second call.		6 A. Let me doublecheck though. Because that was a
7 Q. And so the first call on the 21st was before he was		7 different number. It was like the jail number. I'm
8 arraigned?		8 not seeing it now. I've went through so many phones
9 A. Correct.		9 since then. Okay. Actually, here it is right here.
10 Q. And then the second call was after he was arraigned?		10 He did call me. It may have only been the 21st.
11 A. Correct.		11 Q. Okay.
12 Q. Okay. And then your phone also reflects that he placed		12 A. Or I just may not have the other times. But the 21st
13 three calls on the 20th. And I think you said the		13 he had called me four times.
14 first one was only eight seconds, so that was probably		14 Q. Okay. And could you give us the times of those calls?
15 a hang-up?		15 A. November 21st at 9:56 a.m., November 21st at 9:58 a.m.
16 A. Right.		16 -- oh, wait. No. That's me trying to call that number
17 Q. And then you called at 1:38, and that call lasted a		17 back.
18 minute and 27 seconds?		18 Q. Okay.
19 A. Correct.		19 A. Okay. So it was November 21st at 9:56 a.m., and I
20 Q. What do you remember about that call?		20 stayed on the phone for a minute and 29 seconds even
21 A. Honestly, I can't say that I remember exactly what was		21 though I couldn't pay for it.
22 said between these two calls at all.		22 Q. You're talking about your call back to him?
23 Q. Okay.		23 A. No. He called me on November 21st at 9:56 a.m. It
24 A. I thought that I had mentioned to them that I wanted		24 says that we were on the phone together for a minute
25 somebody to tell him that I loved him because I		25 and 29 seconds.
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1 couldn't answer my phone at some point in there and		1 Q. Did he get ahold of you at that time?
2 then to keep an eye on him because of the fact that he		2 A. No. I didn't have any money to put on the card. I was
3 had overdosed and I was concerned for his safety with		3 trying to figure out how much they would charge me, and
4 his mental wellbeing and everything.		4 then I heard it was like 14.99 or whatever.
5 Q. Okay. And you were concerned since he had overdosed		5 Q. So that's a call, and then when you're receiving it you
6 before he might --		6 have to pay for it?
7 A. He might have some bad thoughts. You know what I mean?		7 A. Put money down, correct.
8 I know what it feels like to be in jail. I mean, come		8 Q. So you're talking basically to a computer or the
9 on, whoever goes to jail -- especially for things that		9 operator?
10 I know that my dad wasn't accountable for. He may have		10 A. Yes. I was just listening to what they say or
11 been accountable for one of those charges, but not		11 whatever. November 21st at 10:09 a.m., he called me
12 eleven of them. And I feel like he felt like he had no		12 again. And then I missed his call on November 21st at
13 way out, and he couldn't get ahold of anybody and maybe		13 11:31 a.m.
14 even that nobody in there was listening to how he felt		14 Q. And the 11:31 a.m. you didn't answer, but the 9:56 a.m.
15 about it, and that that could have been his only		15 and the 10:09 a.m. --
16 option.		16 A. They were both a minute -- well, the first one was a
17 Q. So let me ask it this way: Did you ever touch base		17 minute and 29 seconds. The second one was a minute and
18 with your dad after he was arrested?		18 zero seconds. I just wanted to hear him say his name
19 A. No.		19 again, because I couldn't talk to him.
20 Q. I think it's mentioned in one of the recorded telephone		20 Q. Okay. So the 11:31 a.m. call was he had called and you
21 calls that he had tried to call you?		21 missed the call?
22 A. Yes, multiple times.		22 A. Correct.
23 Q. And I think you indicated that day, which would have		23 Q. But the earlier two calls you answered, but you didn't
24 been the 21st?		24 have the money to complete the connection?
25 A. Yes.		25 A. Correct.

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1	Q. Okay.	1 up finding it and calling, and that's how I found out
2	A. I'm trying to see if there are anymore in here.	2 he was there.
3	Q. Were there any calls on the 20th?	3 Q. Okay. And I think there was like a newspaper article
4	A. I'm not seeing my records from that day at all from him	4 published?
5	calling in.	5 A. Uh-huh.
6	Q. Okay. And that would be consistent with the voice mail	6 Q. That I did notice on Facebook you had flagged and
7	where you said he had called you that day?	7 attached to your Facebook account.
8	A. Right. Right.	8 A. Okay.
9	Q. All right. On the calls that you placed on the	9 Q. Does that ring a bell?
10	20th that we went through, and there's actually two	10 A. Yes. There's a couple of those articles there.
11	that were not hang-ups, those two calls, one was a	11 Q. And I think you posted, hey, that's actually my dad?
12	minute 27 seconds and the other was 56 seconds?	12 A. Yes.
13	A. Right.	13 Q. Okay. So somebody told you that he was actually
14	Q. Do you know who you spoke with?	14 arrested up in Sanilac County?
15	A. I can't even remember what you said her name was. I	15 A. Right.
16	know it was a female. That's all I can remember.	16 Q. Okay. Then there was also a call on your cell phone
17	Q. Can you testify as to anything that was said more than	17 you referenced on November 22nd at 9:07?
18	what we've had recordings for?	18 A. Yes.
19	A. No.	19 Q. And that was like a five-minute call?
20	Q. Okay. That's because you don't remember?	20 A. Yes.
21	A. Right.	21 Q. Tell me what you remember about that call.
22	Q. But what you were trying to do, I assume, is call and	22 A. That was a phone call with Sheriff Biniecki.
23	find a way to return your dad's calls?	23 Q. Okay.
24	A. Correct.	24 A. I remember talking to him about it. Because I believe
25	Q. Or connect with your dad because you knew he was there,	my aunt called me at 6:00 in the morning telling me
Page 42		Page 44
1	correct?	1 that Sanilac County Police had showed up to her door at
2	A. Yes.	2 3:00 a.m. to inform her of my dad.
3	Q. Actually, on the 20th, you weren't returning his call,	3 Q. When you say your aunt, this is your Aunt Ruth?
4	you were trying to reach him?	4 A. My Aunt Ruth, correct. And my phone was on silent. I
5	A. Yes.	5 didn't even see that she called until then. And then I
6	Q. Okay. And so that was the purpose of the calls on the	6 didn't want to call her back at 6:00 in the morning,
7	20th, and that was also the purpose of the calls on the	7 because I didn't know if she was sleeping or not. So I
8	21st?	8 think I waited until right before I talked to Sheriff
9	A. Right. Because when I first called at 1:30, I was in	9 Biniecki to return my aunt's phone call, and that's
10	school. And I had received a call from one of my dad's	10 when she told me that my dad had passed away. And I
11	friends who had informed me that my dad may potentially	11 was over at my mom's house when I found out.
12	be in jail at that time.	12 And I talked to Sheriff Biniecki for a minute
13	Q. Okay.	13 and found out, you know, like, you know, he committed
14	A. And so I called -- I left school. I went out to my car	14 suicide. And I'm like -- I was kind of like in shock.
15	at the time, and I called the Genesee County Jail.	15 You know what I mean? Because I never would expect
16	They said they had nobody at that time, you know, by	16 something like that from my dad, especially in jail.
17	his name there or whatever. So then I called the	17 Because like I had mentioned before, he said that was
18	person back who had informed me, and they said, well,	18 his safe -- his second home and he was -- he felt more
19	maybe you need to try a different jail. And I'm like,	19 safe there always.
20	well, what different jail would he be in? You know	20 And I was just in shock. At that point I was
21	what I mean? Because my dad doesn't really go outside	21 more concerned about my brother, because he wasn't
22	of Flint like that. And so they were like, well, I was	22 here. You know what I mean? And so Sheriff Biniecki
23	told that he might be on his way back from Sanilac	23 was willing to help us, help my brother get back here
24	County. And I'm like Sanilac County, where is Sanilac	24 and work with Red Cross Blue Shield, which was great.
25	County at? So then I looked up the number, and I ended	25 But I just -- I just can't believe it all happened. I

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1	just -- I feel like there's a lot more that's left out	1	realize that, you know, maybe I really do need to watch
2	that I don't know, and I don't know if I'll ever know,	2	this person.
3	which is a major, major thing for me. Because, like,	3	Q. Okay. And I think you indicated that your father to
4	I'm never going to be able to say goodbye, and I'm	4	your knowledge had never been suicidal in the past?
5	never going to know everything that happened, and I	5	A. He's never been suicidal to my knowledge. He had
6	just don't feel like it's right.	6	struggled with depression and bipolar. More bipolar
7	Q. Ma'am, I'm sorry for your loss. I know it's very hard.	7	than anything. Because he had a lot of anger problems
8	So the five-minute call with Sheriff Biniecki	8	that go back to him being abused when he was a child.
9	was about -- I'm sorry, what was it about?	9	Q. But you never told anyone that you thought he was
10	A. It was him informing me himself that he was sorry for	10	suicidal, because you didn't think he was suicidal?
11	the loss of my father, asking me if there anything he	11	A. Correct. I didn't think he was suicidal. I mean, I
12	could do for me. He was willing to help us, you know,	12	was concerned as to how he would respond, because he's
13	work with Red Cross Blue Shield or whatever it's called	13	never been charged with eleven felony counts or
14	to get my brother back home, and that he was, you know,	14	possibly could be charged with eleven felony counts.
15	working with the coroner and he didn't want to release	15	You know what I mean? And then him overdosing, and
16	the information to the public yet. That was a major	16	then his history of mental health, I was concerned.
17	thing for me. He said that he didn't want to release	17	But I didn't think that, you know, he was going to
18	the information to the public yet. He wanted to make	18	commit suicide.
19	sure that everybody was informed. But they were kind	19	Q. Right. There's a couple of other questions I wanted to
20	of like harassing him is basically what he was saying	20	ask you. Are you familiar with an entity called Kith
21	to me. You know, he can't keep it down low for a long	21	Haven, K-i-t-h, Haven, H-a-v-e-n?
22	time. He's going to end up having to release it to the	22	A. No.
23	public.	23	Q. Is there a nursing home in Flint by that name?
24	Q. So the call --	24	A. Kith Haven?
25	A. To the media.	25	Q. Okay. I'll go with that.
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1	Q. So had you called the sheriff, or had he called you?	1	A. I've heard of a nursing home named that, but I don't --
2	A. That was me calling them.	2	I'm not familiar with it at all.
3	Q. Okay. And it sounds like the sheriff was offering you	3	Q. Is there any connection with your dad to that nursing
4	his condolences and trying to do what he could to help	4	home? Did he stay there, go there, work there?
5	you and at least keep it quiet until the family was	5	A. Huh-huh.
6	informed?	6	Q. No?
7	A. Yes.	7	A. Not that I'm aware of at all.
8	Q. Okay. Did you talk to any other Sanilac County	8	Q. Okay. And are you familiar with Havenwyck?
9	deputies?	9	A. Havenwyck?
10	A. I can't remember exactly who I talked to for the first	10	Q. Yes.
11	two calls that happened on the 20th. I thought one of	11	A. Oh, that's a mental health hospital. I've been there
12	them was a male and one of them was a female.	12	before.
13	Q. Okay.	13	Q. Okay. Where is that?
14	A. But I'm not 100 percent certain. Because I didn't even	14	A. Honestly, I'm not sure. I've been to like four
15	remember all their names like that. I just remember	15	different ones. All I know is that there's one of them
16	like the gist of the conversations of me wanting to let	16	in Saginaw, one's in Pontiac, and there's a couple of
17	them know about what happened prior to this tragic	17	different ones.
18	event.	18	Q. Sure. Okay. And do you know if your father has ever
19	Q. Sure.	19	been there?
20	A. And to try to keep my dad safe. I mean, I may not have	20	A. He more than likely has.
21	said exactly what I needed to say at that point in	21	Q. Okay.
22	time, like, you know, keep your eyes on him directly,	22	A. I'm not 100 percent sure.
23	but I did say, you know, my dad overdosed.	23	Q. Sure. Okay. And do you know, did your father have a
24	Q. Right.	24	regular physician he was treating with?
25	A. Which should have been key words for somebody to	25	A. Yes, he did.

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1	Q. Was that Dr. Roome?	1	Q. Before your dad was arrested, he wasn't living with
2	A. No. His doctor was Dr. Burtch, and he was located at	2	you, correct?
3	Hamilton Health Clinic on South Saginaw in Burton.	3	A. No, not at that time.
4	Q. Okay. Any other physicians that you're aware of that	4	Q. All right. How often would you see him?
5	he was going to?	5	A. I was seeing him like every day.
6	A. No, I'm not sure.	6	Q. Every day?
7	Q. Other than CMH, any other places other than what you've	7	A. Yes.
8	already said that you believe he was receiving any type	8	Q. How often would he see his grandchildren?
9	of psychiatric treatment from?	9	A. Every day.
10	A. No.	10	Q. How did he get along with his grandchildren?
11	Q. I think I asked you this before. But you haven't seen	11	A. Great.
12	any of the documents in this case as to the jail	12	MR. SHOUDY: You're saying grandchildren. Do
13	documents or anything like that?	13	you mean grandchild at that time?
14	A. No. I've seen like one document pretty much that was	14	THE WITNESS: Grandchild at that time.
15	blocked out, like the things that were more important	15	MR. SHOUDY: Okay.
16	to this case. His mental health history was blacked	16	THE WITNESS: Yeah. That was his pride and
17	out, things like that. And for the most part, that's	17	joy. They were inseparable.
18	about it. Like, I didn't really see anything else like	18	BY MR. WILENSKY:
19	that.	19	Q. They were inseparable did you say?
20	Q. Did you watch any videos?	20	A. Yes.
21	A. No.	21	Q. All right. And then to your knowledge your dad did not
22	Q. Okay. And you haven't talked to any of the deputies --	22	have a history -- he had a mental health history,
23	A. No.	23	correct?
24	Q. -- since your father's passed away?	24	A. Right.
25	A. Correct, I have not. Except for Sheriff Biniecki right	25	Q. All right. He had different addiction problems?
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1	after.	1	A. Right.
2	Q. That one call you already told me about?	2	Q. And those were longstanding, correct?
3	A. Yes. There was more than just that one call. I don't	3	A. Correct.
4	know where all of them are, but I've talked -- I talked	4	Q. All right. If he answered in the questionnaire at
5	to Sheriff Biniecki a little bit after, you know, my	5	Sanilac County about prior suicide attempts yes, that's
6	dad passed, because he kind of just wanted to keep in	6	not something you knew about?
7	touch and help me. And he notified me when he released	7	A. Correct.
8	it to the media and things like that.	8	Q. Okay. And, of course, you were not with him when he
9	Q. Okay.	9	answered these questions?
10	A. It was just -- like not -- not like days after or	10	A. Correct.
11	anything like that. It was just like that day, the day	11	Q. Your dad was trying to call you on 20th, and you were
12	after and then maybe even the next day.	12	trying to return the calls. We've established that,
13	Q. Okay.	13	correct?
14	A. But I'm not 100 percent sure on that.	14	MR. SHOUDY: Actually --
15	Q. The calls were all just relating to trying to help you?	15	THE WITNESS: The 21st.
16	A. Yeah. And kind of give me a little bit of closure. It	16	MR. SHOUDY: -- I think he said the 21st is
17	didn't really help, but yeah.	17	when he tried to call.
18	Q. Sure. Yeah. Understandable.	18	MR. WILENSKY: No. I thought I said the
19	MR. SHOUDY: Okay. Ma'am, that's all I have.	19	20th.
20	Thank you very much.	20	BY MR. WILENSKY:
21	MR. WILENSKY: I have one or two quick	21	Q. Oh, your dad tried to call you on the 21st, but you had
22	questions.	22	-- those first calls you made?
23	THE WITNESS: Okay.	23	A. Yes.
24	EXAMINATION	24	Q. There's three calls on the 20th?
25	BY MR. WILENSKY:	25	A. On the 20th, yes.

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1 Q.	One where you hung up?	1 Q.	All right. And then the first on the 20th was 1:38. I
2 A.	Yes.	2	assume that's the afternoon?
3 Q.	And two were fairly short, like one was one minute and	3 A.	Yes.
4	27 seconds and one was 56 seconds?	4 Q.	All right. We've heard the audio of you mentioning the
5 A.	Correct.	5	overdose. That was on the 21st, that call, the longer
6 Q.	All right. You didn't get to talk to your dad on those	6	call?
7	occasions, correct?	7 A.	Yes.
8 A.	Correct.	8 Q.	Did the overdose get mentioned on the 20th, if you
9 Q.	Was it that same Deputy Adamczyk?	9	remember?
10 A.	I don't think so. But I'm not 100 percent sure.	10 A.	I can't guarantee that.
11 Q.	Male or female?	11	MR. WILENSKY: Okay. That's all I have.
12 A.	Like I said before, I think it was probably one male	12	MR. SHOUDY: Thank you, ma'am.
13	and one female. But I don't remember what their names	13	THE WITNESS: Thank you.
14	were.	14	(The deposition was concluded at 2:42 p.m.
15 Q.	All right. You said you specifically didn't recall	15	Signature of the witness was not requested by
16	what you talked about. Do you have any general	16	counsel for the respective parties hereto.)
17	remembrance of what you talked about?	17	
18 A.	I'm pretty sure that I just wanted somebody to tell him	18	
19	that I love him. And I was trying to get more	19	
20	information, but they didn't have anything they could	20	
21	tell me at that point.	21	
22 Q.	Okay. You mentioned during your testimony that you	22	
23	didn't use the words watch him, but you were concerned	23	
24	about him.	24	
25 A.	Yes.	25	
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1 Q.	Okay. And you were there for the overdose?	1 CERTIFICATE OF NOTARY	
2 A.	Yes.	2 STATE OF MICHIGAN)	
3 Q.	All right. And the time lapse between the overdose --	3) SS	
4	I think you said that was on Saturday?	4 COUNTY OF ST. CLAIR)	
5 A.	Yes.	5	
6 Q.	All right. And what day was he arrested?	6 I, Valerie Jo Lohr, C.S.R., certify that this	
7 A.	Sunday.	7 deposition was taken before me on the date hereinbefore	
8 Q.	Had the purported crime already been committed when he	8 set forth; that the foregoing questions and answers	
9	overdosed, or not?	9 were recorded by me stenographically and reduced to	
10 A.	No.	10 computer transcription; that this is a true, full and	
11 Q.	Okay.	11 correct transcript of my stenographic notes so taken;	
12 A.	The crime was the following morning from what I heard.	12 and that I am not related to, nor of counsel to, either	
13 Q.	Okay. So what time -- I don't think we established the	13 party nor interested in the event of this cause.	
14	time on Saturday. Was that day or evening --	14	
15 A.	On Saturday it was about -- I want to say it was about	15	
16	2:30, 3:00 p.m.	16	
17 Q.	In the afternoon?	17	
18 A.	Yes.	18	
19 Q.	Okay. How long were you there before you left?	19	
20 A.	Long enough to get him back alive and leave. It was	20	
21	probably about 25, 30 minutes.	21	
22 Q.	All right.	22	
23 A.	Enough for me to see that he was going to be alive.	23	
24 Q.	Okay. So that would have been -- Saturday was the 18?	24	
25 A.	Yes.	25	